IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2359 OF 2004

Mr.Dilip Musahib ..Petitioner

Vs.

The State of Maharashtra & Anr. ..Respondents

Mr.A.M.Saraogi for the petitioner

Mr.D.S.Mhaispurkar, A.P.P. for the state

CORAM : J.N.PATEL &
SMT.ROSHAN S.DALVI, JJ.

DATED : 4TH OCTOBER, 2006

P.C.:

. The subject matter of this petition is seized by the court of Sessions in Criminal Revision Application No.206 of 2006 where the Additional Sessions Judge by his order dt.5.3.04 has passed an interim order granting stay to the impugned order passed by the learned Addl.Chief Metropolitan Magistrate, 37th Court, Esplanade, Mumbai. Probably for the purpose of hearing of the petition, this court has also called for the records and proceedings of Revision Application No.206 of 2004. We are therefore, not inclined to

entertain the petition. The petitioner is at liberty to contest the matter before the Court of Sessions. Petition is disposed of accordingly with a direction to the court of Sessions to decide the Criminal Revision Application as expeditiously as possible preferably within 3 months from the date of communication of this order. Petitioner to communicate the same to the court of Sessions. Records and Proceedings to be forthwith returned to the court of Sessions.

(SHRI J.N. PATEL, J)

(SMT.ROSHAN DALVI, J)